

GUEST OPINION

# Montana schools lack anti-bullying policies

By KIM GILLAN

I've long supported Montana's tradition of local control. However, local control should not become a barrier to address an important statewide problem: bullying in our schools. Last week, The Gazette ran an editorial in opposition to Senate Bill 141, also known as the Schools Are For Education Act. The bill was erroneously depicted as a mandate that would dictate how school districts handled bullying. Instead, SB141 puts into statute a requirement that school districts develop anti-bullying policies, giving direction as to what the policy should address: consistent definitions, clarification of process for handling complaints. SB141 was crafted and amended to clarify issues of local control. But as a parent and legislator, I know that some schools do not have any policies; some of those with policies have been criticized by parents as vague and confusing.

Many of those who testified at the hearing — including school teachers and administrators — shared stories of how bullying, especially cyber-bullying, was disrupting the educational process.

Ironically, the editorial ran on the day that a White House Conference on Bullying Prevention was held to discuss ways to make children safe. Bullying affects students and communities across the nation, and Montana is no exception. In our state, 38 percent of junior high students and 23 percent of high school

students report being bullied, and 18 percent report being cyber-bullied (according to the 2009 Youth Risk Behavior Survey by the Montana Office of Public Instruction). Clearly, the issue of bullying cannot be swept under the rug any longer while parents and schoolchildren wait for individual school boards to choose to address the problem.

As a legislator, it is my duty to represent my constituents in Billings and also consider the needs of all Montanans. Parents from around the state have contacted me concerned that their children do not feel safe in school.

The SAFE Act creates clarity, transparency and accountability for parents, students, administrators and teachers dealing with the issue of bullying in our schools. It is not a "mandate on how schools must deal with bullies," but it imposes a statutory requirement that school districts develop policies and no longer ignore the situation. School districts maintain control in crafting and implementing minimum anti-bullying policy requirements.

Opponents of the bill cited local control concerns as well and claimed that this was not really a problem. Yet e-mails from school board members suggested a lack of understanding of the problem, sharing "bullying is part of growing up" or that "boys will be boys."

These excuses are not acceptable to the thousands of schoolchildren who

have suffered at the hands of bullying. I shuddered as I learned about cases of students being locked in the overhead compartments of buses or learning of text messages being sent to fellow students falsely accusing them of cheating, stealing or other acts.

Montana is one of only five states in the nation that have not legislatively addressed bullying in schools. The SAFE Act will define bullying, harassment or intimidation (including cyber-bullying) and establish minimum policy standards for all school districts. These include:

- A requirement that all school districts adopt a policy prohibiting bullying, harassment and intimidation.

- A statement prohibiting bullying, harassment or intimidation.

- Procedures for reporting and documenting reports; prompt investigation; necessary referral; prompt notification of parents or guardians of victim and perpetrator; protecting the victim from further bullying, harassment or intimidation; and establishing consequences.

- A process of publicizing the policy (e.g., student handbook).

If a school district already has a policy in place, such as Billings, it will simply have to check to see if it addresses these minimum standards. And, if not, the district will retool its policies.

Kim Gillan represents Senate District 24 in Billings Heights.

*"Bully behavior occurs when there is deliberate intent to harm, dominate, inflict pain, exclude or otherwise cause distress to the person being targeted. The person who bullies purposefully misuses his/her power (size, age, popularity, confidence, verbal ability), usually repeatedly. The balance of power between the bully and target is not equal."*

— Billings Public School counselors